

## **Chapter 4 Scope of Services, Supported, Extended and Self-Employment**

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**Applied Effective Date:** 12/27/02

**Last Edition Date:** 1/ 1/2000

**Federal Authority:** 34CFR 361.48 **Scope of Vocational Rehabilitation Services for Individuals with**

**State Authority:** ARM 37.30.706 and 37.39.102 Vocational Rehabilitation Program: Physical And Mental Restoration Services And Vocational Rehabilitation Policy: Incorporation By Reference Of Federal And State Authority

### **Policy Statement:**

Vocational rehabilitation services are any services described in an IPE necessary to assist an individual with a disability in preparing for, securing, retaining, or regaining an employment outcome that is consistent with the strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of the individual, including:

- 1 An assessment for determining eligibility and vocational rehabilitation needs by qualified personnel, including, if appropriate, an assessment by personnel skilled in rehabilitation technology;
- 2 Counseling and guidance, including information and support services to assist an individual in exercising informed choice.

- 3 Referral and other services to secure needed services from other agencies through agreements;
- 4 Job-related services, including job search and placement assistance, job retention services, follow-up services, and follow-along services.
- 5 Vocational and other training services, including the provision of personal and vocational adjustment services, books, tools, and other training materials, except that no training services provided at an institution of higher education shall be paid for with funds under this title unless maximum efforts have been made by MVR and the individual to secure grant assistance, in whole or in part, from other sources to pay for such training;
6. To the extent that financial support is not readily available from a source (such as through health insurance of the individual) or through comparable services and benefits other than MVR, diagnosis and treatment of physical and mental impairments, including:
  - a. Corrective surgery or therapeutic treatment that is likely, within a reasonable period of time, to correct or modify substantially a stable or slowly progressive physical or mental impairment that constitutes a substantial impediment to employment;
  - b. Diagnosis of and treatment for mental or emotional disorders by qualified personnel in accordance with State licensure laws;
  - c. Dentistry;
  - d. Nursing services;
  - e. Necessary hospitalization (either inpatient or outpatient care) in connection with surgery or treatment and clinic services;
  - f. Drugs and supplies;
  - g. Prosthetic and Orthotic devices;
  - h. Eyeglasses and visual services, including visual training, and the examination and services necessary for the prescription and provision of eyeglasses, contact lenses, microscopic lenses, telescopic lenses, and other special visual aids prescribed by personnel that are qualified in accordance with State licensure laws;
  - i. Podiatry;
  - j. Physical therapy;
  - k. Occupational therapy;
  - l. Speech or hearing therapy;
  - m. Mental health services;
  - n. Treatment of either acute or chronic medical complications and emergencies that are associated with or arise out of the provision of physical and mental restoration services, or that are inherent in the condition under treatment;
  - o. Special services for the treatment of individuals with end-stage renal disease, including transplantation, dialysis, artificial kidneys, and supplies; and
  - p. Other medical or medically related rehabilitation services

- 7 Maintenance for additional costs incurred while participating in an assessment for determining eligibility and vocational rehabilitation needs or while receiving services under an IPE;
- 8 Transportation, including adequate training in the use of public transportation vehicles and systems, that is provided in connection with the provision of any other service described in this section and needed by the individual to achieve an employment outcome;
- 9 On-the-job or other related personal assistance services provided while an individual is receiving other services described in this section;
- 10 Interpreter services provided by qualified personnel for individuals who are deaf or hard of hearing, and reader services for individuals who are determined to be blind, after an examination by qualified personnel who meet state licensure laws;
- 11 Rehabilitation teaching services, and orientation and mobility services, for individuals who are blind;
- 12 Occupational licenses, tools, equipment, and initial stocks and supplies;
- 13 Technical assistance and other consultation services to conduct market analyses, develop business plans, and otherwise provide resources, to the extent such resources are authorized to be provided through the statewide workforce investment system, to eligible individuals who are pursuing self-employment or telecommuting or establishing a small business operation as an employment outcome;
- 14 Rehabilitation technology, including telecommunications, sensory, and other technological aids and devices.

## **MVR Procedure 4.1 Determining Levels of Transportation Services**

**Applied Effective Date:** 12/23/02 **Last Edition Date:** 12/23/02

MVR may provide transportation, including adequate training in the use of public transportation vehicles and systems, which is provided in connection with the provision of any other service described in this section and needed by the individual to achieve an employment outcome. MVR transportation can only be services that support a core assessment or IPE service. This is not a service that can be provided as a sole service. The decision to provide this service and the amount provided must be based on how it contributes to the core services. The consumer remains financially responsible to cover personal transportation cost for those portions of his or her lifestyle that are not related to the MVR program. MVR can provide assistance in personal transportation when the consumer or consumer's driver has, (1) a valid driver's license, (2) vehicle liability, and (3) the individual is not medically and/or legally prohibited from operating a motor vehicle.

## Decision Model

Prior to considering assisting with transportation services, the counselor shall explore these options with the consumer:

### Tier One Considerations

- 1 Is there a reasonable public transportation option? Yes? Stop, No? Then;
- 2 Family/friends or car pools to assist with this service? Yes? Stop, No? Then
- 3 Other comparable benefits. Yes? Stop, No? Then
- 4 Is relocation necessary because transportation needs are unreasonable? Yes? Stop, No? Then proceed to private transportation options in accordance with the following actions prior to investment:

### Tier Two Considerations

- 1 Is this individual or is this individual's driver a legal driver? No? Stop Yes, proceed
- 2 If the vehicle repair cost is over five hundred dollars the agency shall:
  - a. Obtain an estimate of the work to be accomplished; and
  - b. Consult within the agency prior to purchase.
3. If the consumer's transportation requirements have not been met through the previous considerations, the MVR Counselor may assist the individual with the purchase of a personal vehicle. This could be accomplished through providing funding for a negotiated "down payment" or authorizing monthly "transportation assistance" (paid to the consumer) for a specified period of time. This assistance would be used for vehicle loan payments. Prior to entering into this type of arrangement, the MVR Counselor will explore the consumers' ability to meet the financial requirements of the vehicle loan or purchase, after MVR funding is discontinued. When it is required, the intention of the agency is to assist our consumers with the purchase of their personal vehicles. The agency does not intend to purchase vehicles outright for its consumers.

## Summary

The counselor needs to articulate Transportation Services clearly and deliberately to set the stage for negotiating the agency's portion of the responsibility. The decision model is meant to force an exploration of other options for transportation. The investment in the private transportation option is second tier and to be offered only after we have explored the first tier. When asked to make investments in private transportation; consult.

## **MVR Policy 4.2 Special Funds Utilization IV-B Supported Employment**

**Applied Effective Date:** 12/27/02 **Last**

**Edition Date:** 01/01/2000

**Federal Authority:** CFR 363.11 What Information and Assurances must be included in the state plan supplement?

**State Authority:**

### **Policy Statement:**

An individual shall be eligible to receive supported employment services using Title VI Part B funds if:

- 1 The individual is eligible for vocational rehabilitation services.
- 2 The individual is determined to be an individual with the most significant disabilities; and
- 3 There is comprehensive assessment of rehabilitation needs of the individual including an assessment of rehabilitation career and job needs, and identifies supported employment as the appropriate rehabilitation objective for the individual.
  - a. Cooperative Agreements: When a goal requiring supported employment is identified in the IPE, a document (cooperative agreement) signed and dated by the extended service provider reflecting the commitment of extended service provisions will be placed in the file prior to closure. If the cooperative agreement is dated after the IPE, there must have been reasonable expectation that extended services were to be available prior to closure.
  - b. Funding Extended Services Prior to Closure:  
For the 90 days preceding closure, the extended services provider must have met the individual's support needs without VR time limited funding.

## **MVR Policy 4.3 Certification of Eligibility for State Extended Employment (VREE) Services and Funds**

**Applied Effective Date:** 12/27/02

**Last Edition Date:** 12/27/02

**Federal Authority:**

**State Authority:** ARM 37.30.1613 Extended Employment Services:  
Eligibility

### **Policy Statement:**

Prior to the utilization of Montana State extended employment-funding MVR must certify the individual as eligible? To be eligible the individual must:

- 1 Have a most significant disability that results in an impediment to employment.
- 2 Have historically not been employed, or if employed, the employment has been interrupted or intermittent as a result of those disabilities.
- 3 Have priority for placement in the extended employment program, in the event of a waiting list.

## **MVR Policy 4.4 Re-evaluation of Individual Status in the State Sheltered Extended Employment Programs (VREE) or in a Special Employment Setting in Accordance with FLSA 14©**

**Applied Effective Date:** 12/27/02 **Last**

**Edition Date:** 01/08/2001

**Federal Authority:** 34 CFR 361.55 Annual Review of Individuals in Extended Employment or Other Employment under Special Certificate Provisions of the Fair Labor Standards Act.

**State Authority:** Policy

### **Statement:**

For individuals closed in outcomes that are not competitive employment in an extended employment setting there shall be:

- 1 An annual review and reevaluation of the status of each individual with a disability served under this title who has achieved an employment outcome either in an extended employment setting in a community rehabilitation program or any

- other employment under section 14(c) of the Fair Labor Standards Act (29 U.S.C. 214(c)) for 2 years after the achievement of the outcome (and thereafter if requested by the individual or, if appropriate, the individual's representative), to determine the interests, priorities, and needs of the individual with respect to competitive employment or training for competitive employment;
- 2 Input into the review and reevaluation, and a signed acknowledgment that such review and reevaluation have been conducted by the individual with a disability, or, if appropriate, the individual's representative; and
  - 3 Maximum efforts, including the identification and provision of vocational rehabilitation services, reasonable accommodations, and other necessary support services, to assist the individual in engaging in competitive employment.

## **MVR Policy 4.5      Self-employment**

**Applied Effective Date:** 12/27/02

**Last Edition Date:** initial policy

**Federal Authority:**

**State Authority:** ARM 37.30.102 Vocational Rehabilitation Policy: Incorporation by Reference of Federal and State Authority

### **Policy Statement:**

MVR provides technical assistance and other consultation services to conduct market analyses, develop business plans, and otherwise provide resources, to the extent such resources are authorized to be provided through the statewide workforce investment system, to eligible individuals who are pursuing self-employment or telecommuting or establishing a small business operation as an employment outcome. As a condition of MVR financial participation in the establishment of a small business, the consumer shall, based on need, complete small business start up training from an approved MVR training resource. A Regional MVR Business Plan Review Group composed of the MVR administrative representative, the counselor, and a small business-lending consultant shall be established in each MVR region. Prior to MVR financial participation in funding requests for initial stocks and supplies, tools, equipment, and occupational licenses exceeding \$5000, the Regional MVR Business Plan Review Group shall review the IPE and small business plan. The MVR Agency may approve additional VR financial assistance for the initial costs of self-employment plans above \$5,000. The additional support may not exceed 25% of business start up costs that exceed \$5,000.